

children have a right to be proud of their father, this great American, I would consider my life a success.

Sergeant Fry earned the Purple Heart and many other decorations for his outstanding military service. With full military honors, he was buried at Rosemount Cemetery in Waco, Texas, on March 23, 2006. I want to thank President Bush for coming to the Veterans Day ceremony this past year in Waco, Texas, to honor the Fry family.

While Sergeant Fry's final resting place may be in a cemetery in Waco, I have faith that his spirit will touch the lives of others who will be inspired by this young man's devotion to country.

John David Fry is an American hero who gave his life defending our country in Iraq. We humbly recognize that we can never fully repay this citizen or his family for their deep loss, but I hope and pray that honoring him in this way here in Congress and at the post office back in his hometown of Lorena will celebrate his dedicated service and always preserve his memory.

Mr. Speaker, with honor and respect to the life of John David Fry, I urge my colleagues to support H.R. 3721.

Mr. DAVIS of Illinois. Mr. Speaker, I commend Representative EDWARDS for the introduction of this resolution and for his eloquent, passionate statement. I am pleased to join with him in urging passage.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 3721.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CONTRACTORS AND FEDERAL SPENDING ACCOUNTABILITY ACT OF 2008

Mr. TOWNS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3033) to improve Federal agency awards and oversight of contracts and assistance and to strengthen accountability of the Government-wide suspension and debarment system, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3033

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Contractors and Federal Spending Accountability Act of 2008".

SEC. 2. DATABASE FOR CONTRACTING OFFICERS AND SUSPENSION AND DEBARMENT OFFICIALS.

(a) IN GENERAL.—Subject to the authority, direction, and control of the Director of the Office of Management and Budget, the Administrator of General Services shall estab-

lish and maintain a database of information regarding integrity and performance of persons awarded Federal contracts and grants for use by Federal officials having authority over contracts and grants.

(b) PERSONS COVERED.—The database shall cover any person awarded a Federal contract or grant if any information described in subsection (c) exists with respect to such person.

(c) INFORMATION INCLUDED.—With respect to a person awarded a Federal contract or grant, the database shall include information (in the form of a brief description) for at least the most recent 5-year period regarding—

(1) any civil or criminal proceeding, or any administrative proceeding to the extent that such proceeding results in both a finding of fault on the part of the person and the payment of restitution to a government of \$5,000 or more, concluded by the Federal Government or any State government against the person, and any amount paid by the person to the Federal Government or a State government;

(2) all Federal contracts and grants awarded to the person that were terminated in such period due to default;

(3) all Federal suspensions and debarments of the person in that period;

(4) all Federal administrative agreements entered into by the person and the Federal Government in that period to resolve a suspension or debarment proceeding and, to the maximum extent practicable, agreements involving a suspension or debarment proceeding entered into by the person and a State government in that period; and

(5) all final findings by a Federal official in that period that the person has been determined not to be a responsible source under either subparagraph (C) or (D) of section 4(7) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(7)).

(d) REQUIREMENTS RELATING TO INFORMATION IN DATABASE.—

(1) DIRECT INPUT AND UPDATE.—The Administrator shall design and maintain the database in a manner that allows the appropriate officials of each Federal agency to directly input and update in the database information relating to actions it has taken with regard to contractors or grant recipients.

(2) TIMELINESS AND ACCURACY.—The Administrator shall develop policies to require—

(A) the timely and accurate input of information into the database;

(B) notification of any covered person when information relevant to the person is entered into the database; and

(C) an opportunity for any covered person to append comments to information about such person in the database.

(e) AVAILABILITY.—

(1) AVAILABILITY TO ALL FEDERAL AGENCIES.—The Administrator shall make the database available to all Federal agencies.

(2) AVAILABILITY TO THE PUBLIC.—The Administrator shall make the database available to the public by posting the database on the General Services Administration website.

(3) LIMITATION.—This subsection does not require the public availability of information that is exempt from public disclosure under section 552(b) of title 5, United States Code.

SEC. 3. REVIEW OF DATABASE.

(a) REQUIREMENT TO REVIEW DATABASE.—Prior to the award of a contract or grant, an official responsible for awarding a contract or grant shall review the database established under section 2.

(b) REQUIREMENT TO DOCUMENT PRESENT RESPONSIBILITY.—In the case of a prospective awardee of a contract or grant against which

a judgment or conviction has been rendered more than once within any 3-year period for the same or similar offenses, if each judgment or conviction is a cause for debarment, the official responsible for awarding the contract or grant shall document why the prospective awardee is considered presently responsible.

SEC. 4. DISCLOSURE IN APPLICATIONS.

(a) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, Federal regulations shall be amended to require that in applying for any Federal grant or submitting a proposal or bid for any Federal contract a person shall disclose in writing information described in section 2(c).

(b) COVERED CONTRACTS AND GRANTS.—This section shall apply only to contracts and grants in an amount greater than the simplified acquisition threshold, as defined in section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 401(11)).

SEC. 5. ROLE OF INTERAGENCY COMMITTEE.

(a) REQUIREMENT.—The Interagency Committee on Debarment and Suspension shall—

(1) resolve issues regarding which of several Federal agencies is the lead agency having responsibility to initiate suspension or debarment proceedings;

(2) coordinate actions among interested agencies with respect to such action;

(3) encourage and assist Federal agencies in entering into cooperative efforts to pool resources and achieve operational efficiencies in the Governmentwide suspension and debarment system;

(4) recommend to the Office of Management and Budget changes to Government suspension and debarment system and its rules, if such recommendations are approved by a majority of the Interagency Committee;

(5) authorize the Office of Management and Budget to issue guidelines that implement those recommendations;

(6) authorize the chair of the Committee to establish subcommittees as appropriate to best enable the Interagency Committee to carry out its functions; and

(7) submit to the Congress an annual report on—

(A) the progress and efforts to improve the suspension and debarment system;

(B) member agencies' active participation in the committee's work; and

(C) a summary of each agency's activities and accomplishments in the Governmentwide debarment system.

(b) DEFINITION.—The term "Interagency Committee on Debarment and Suspension" means such committee constituted under sections 4 and 5 and of Executive Order 12549.

SEC. 6. AUTHORIZATION OF INDEPENDENT AGENCIES.

Any agency, commission, or organization of the Federal Government to which Executive Order 12549 does not apply is authorized to participate in the Governmentwide suspension and debarment system and may recognize the suspension or debarment issued by an executive branch agency in its own procurement or assistance activities.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Administrator of General Services such funds as may be necessary to establish the database described in section 2.

SEC. 8. REPORT TO CONGRESS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Administrator of General Services shall submit to Congress a report.

(b) CONTENTS OF REPORT.—The report shall contain the following:

(1) A list of all databases that include information about Federal contracting and Federal grants.